



Complaints, Compliments and Feedback Policy

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| 0.2 | 1 December 2013 | Angela Smurthwaite | Livin – 3 year review |
| 0.3 | 1 December 2016 | Anna Robson | Livin – 3 year review |
| 0.4 | 1 September 2019 | Vicky Miller | Livin – 3 year review |
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Livin

Complaints, Compliments and Feedback Policy

1 Introduction

- 1.1 Livin is committed to ensuring that the process for customer feedback and claiming compensation is clear, simple and accessible and ensures that these are resolved promptly, politely and fairly.
- 1.2 Livin will handle feedback in a timely and effective way and ensure that customers giving feedback are listened to and their views acted upon where appropriate.
- 1.3 Livin will ensure that this overall policy:
 - Is fair, equitable and easily accessible
 - Is well publicised
 - Is simple to understand and written in plain English
 - Clearly states Livin's approach to customer feedback
 - Respects the customers' right to confidentiality
 - Reflects Housing Ombudsman best practice
 - Meets guidance from the Regulator of Social Housing (RoSH) and requirements of the Tenant Involvement and Empowerment Standard.

2 Scope

- 2.1 The scope of this policy covers any customer¹ accessing Livin's services that may wish to complain or give feedback about the service received and/or actions or lack of action from Livin staff including those working on behalf of Livin.
- 2.2 This policy does not apply in instances where there is a right of appeal, for example allocations through the Durham Key Options Policy.
- 2.3 Financial services offered by Livin are regulated by the Financial Conduct Authority and will be handled in accordance with Livin's FCA Complaints procedure.

3 Customer Complaints and Feedback

- 3.1 Livin will collect feedback from customers in relation to:
 - Complaints
 - Compliments
 - General suggestions for service improvement.

¹ Tenants, leaseholders or any member of the public.

3.2 Livin will offer a range of options to give feedback including:

- In person
- Via telephone (including text message)
- In writing
- Completing a customer satisfaction survey
- Completing a customer feedback form
- Email
- Website (including live web chat)
- The Livin App (smartphones)
- Social media

Livin can provide a translation service and will also accept complaints via a third party with the written consent of the complainant.

3.3 Livin defines a complaint as:

“Any expression of dissatisfaction, whether justified or not, about the standard of service provided by Livin or the actions or lack of actions of Livin staff, including anyone acting on behalf of Livin.”

3.4 Livin will ensure that any personal information collected will be treated in accordance with the General Data Protection Regulations provision of the Data Protection Act 2018.

The Complaints Procedure

3.5 All complaints received by Livin will be referred to the Customer Feedback Team for oversight regardless of who the complaint is initially referred to. This will ensure that all customer receive equality of service in complaints resolution.

3.6 Livin employees are expected to follow the complaints policy and procedure when handling a complaint.

3.7 Complaints will be dealt with in accordance with Livin’s escalated complaints procedure which is made up of:

- Informal stage – an opportunity to resolve the issue at the first point of contact (target four working days)
- Stage 1 - will be investigated by an appropriate manager. This stage investigates the handling of the complaint at the informal stage or a complaint that is complex and requires significant investigation to resolve (target 10 working days)
- Stage 2 – will review the handling of the complaint at Stage 1 and will be addressed by a senior manager who is independent of the service area which has received the complaint (target 10 working days).

3.8 Escalation of a complaint is not automatic. The decision regarding escalation will be made taking into consideration the nature of the complaint and the

complainant's reasons for requesting further investigation. If new evidence is provided that was not presented by the complainant when reporting the original complaint Livin reserves the right to open and investigate this as a new complaint.

- 3.9 Following completion of a complaints investigation at Stages 1 and 2, Livin's internal complaints handling process is complete. If a complainant feels that their complaint has not been handled in accordance with this policy they have the option of asking a 'designated person' to review the way the complaint has been handled on their behalf². For the purpose of this policy the designated person(s) may be a Member of Parliament³ (MP) or local County Councillor.
- 3.10 If the designated person refuses to take on the complaint, or the complainant is not satisfied with the outcome of the investigation by the designated person, they may take their complaint to the Housing Ombudsman.⁴
- 3.11 Livin will act upon and fully implement any determination made as a result of a case review by the Housing Ombudsman.

Health and safety complaints

- 3.12 Health and Safety complaints and incidents are handled by Livin's Health and Safety team in accordance with Livin's Accidents and Incidents Procedure and prescribed timescales rather than the complaints policy. The procedure states that an accident and incident investigation should be concluded within:
- Ten working days for minimal or low level investigations; or
 - Five working days or as directed by senior management for medium and high level investigations.

Livin may consider complaints regarding the handling of a health and safety incident should the complaint meet the definition in 3.3.

Anonymous Complaints

- 3.12 Complaints made anonymously are more difficult to investigate and will be considered at the discretion of the Strategic Head of Housing. The factors to be taken into account would include:
- The seriousness of the issues raised
 - The credibility of the complaint; and
 - The complaint can be verified by a reliable source.

Complaints about a Livin contractor

² Democratic filter - The Localism Act 2011

³ An MP or County Councillor cannot be a 'designated person' if they raised the complaint earlier in the process

⁴ In these circumstances the Housing Ombudsman will not apply the standard eight weeks waiting period between the complaint being closed and referring the matter to the Ombudsman.

- 3.13 Complaints received about a partner contractor will be recorded and investigated in accordance with Livin's complaints policy and related procedures.

Unacceptable complainant behaviour

- 3.14 Livin has adopted an 'Unacceptable complainant behaviour' procedure in accordance with the Housing Ombudsman's 'Fair Service' guidance and will implement this when the criteria in the procedure is met.
- 3.15 Violent or threatening behaviour to Livin staff handling a complaint will not be tolerated and will be treated as anti-social behaviour and dealt with in accordance with Livin's Anti-Social Behaviour Policy.
- 3.16 Where unacceptable complainant behaviour is believed to be caused by severe mental ill health or other disability, the complainant will be treated with sensitivity and will be offered the opportunity to appoint an advocate to act on their behalf.
- 3.17 Livin reserves the right to manage and investigate a complaint outside of normal timescales where it would be beneficial to liaise with external support agencies such as the Housing Ombudsman to resolve the issue.

Compliments

- 3.18 Livin welcomes positive feedback from customers and ensures that this is referred to the relevant service area. Livin will share areas of good practice across its departments to improve services.

Suggestions for service improvement

- 3.19 This type of feedback is important to Livin and can help to plan future services and generate ideas on how to improve the quality of existing services. This feedback is recorded and referred to service managers for action where appropriate.

4 Compensation⁵

- 4.1 Livin aims to provide high quality services and to resolve any issues before the need for a compensation payment arises.
- 4.2 The aims of the compensation policy are to ensure that:
- Problems are resolved quickly and efficiently
 - Practical solutions are explored completely to remedy the situation
 - Where financial payments are appropriate they are proportionate to the loss or inconvenience caused
 - Financial payment is considered against clear agreed guidelines and
 - All residents and service users are treated in a fair and equitable way

⁵ Does not include statutory home loss and disturbance payments made under the provisions of the Land and Acquisition and Compensation Order 1973

4.3 This following list is an example of the types of claim that may be made, but it is not exhaustive:

- Right to compensation for improvements
- Failure to repair under Right to Repair legislation
- Home loss payments/Decanting payments
- Loss of use of part of the property
- Loss of service

4.4 Compensation payments are not automatic, even where it is clear mistakes have been made. Where a practical solution would provide all or part of the remedy, this will be discussed with the claimant.

4.5 The RoSH has the power to award compensation to a victim of a failure on the part of a Registered Provider. This is an enforcement power and is set out in Chapter 7 and Sections 236 to 245 of the Housing and Regeneration Act 2008 (the Act) in conjunction with the Regulatory Framework for Social Housing in England from April 2012. Direct reference of a complaint or claim for compensation to the RoSH can only be made in circumstances where it is believed Livin has acted illegally.

Ex Gratia / Full and final settlement

4.6 Any payments Livin makes under the Compensation Policy are referred to as ex gratia and will be in full and final settlement of the issue. This means that the resident or service user is accepting that the matter is resolved by taking the compensation payment and will take no further action.

5 Communication and monitoring

5.1 Livin will publicise 'A Guide to Giving Feedback' and make it available to all customers. Translation and support services can also be made available to help customers to give feedback. Information is also published on Livin's website under 'Customer Feedback' including the policy and complaints handling performance.

5.2 Data on feedback received from customers is monitored and analysed to identify trends in satisfaction/dissatisfaction, changes in customer's needs and areas for service improvement, ensuring that the customer voice is listened to and acted upon.

5.3 Livin will benchmark its performance in complaints handling annually through HouseMark to ensure that high standards of complaint handling are maintained.

6 Review

Livin will review this policy at a minimum of every three years to ensure it remains relevant and effective.

7 Legislation

General Data Protection Regulations 2018

The Data Protection Act 2018

Housing and Regeneration Act 2008

Localism Act 2011

RoSH – The Regulatory Framework for Social Housing in England - April 2015

The Equality Act 2010